



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DMB
F.#2003R00136

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 5, 2012

By Hand Delivery

The Honorable Allyne R. Ross
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Nathaniel Ford
Criminal Docket No. 03-89 (ARR)

Dear Judge Ross:

The government writes to provide the Court with the portions of the record upon which it relies in connection with the above-referenced defendant's motion for resentencing pursuant to 18 U.S.C. § 3582(c)(2). The government relies on those portions of the record that were previously referenced at the defendant's initial 2005 sentencing and his 2008 re-sentencing, along with the materials that were referenced in the defendant's initial appeal and the government's cross-appeal in 2006. Those materials have mostly been collected in the appellate record, a copy of which is attached hereto as Exhibits A through C. Exhibits A and B are volumes I and II of the defendant's appendix, and Exhibit C contains the government's appendix. Certain portions of the trial transcript which were summarized in the appellate record, but not included in the appendices, are available only from the government's off-site archive. The government is ordering those materials, and will provide relevant portions to the Court once they arrive.

Rather than restrict the information available to this Court, the government will simply provide the entirety of the appellate appendices herewith. For the Court's convenience, however, the government notes the locations of certain relevant materials:

- Tr. of Sentencing, May 18, 2005: Ex. A, at A1-A35
- Trial Tr. (December 5, 2002 arrest): Ex. B, at A349-A351; A373-A390
- Trial Tr. (December 5, 2002 search): Ex. B, at A362-A369; A373-A390 (same chemistry analysis as December 5, 2002 arrest)
- Trial Tr. (December 26, 2002 arrest): Ex. B, at A404-A409; A413-A419
- Trial Tr. (testimony of Devon Cox): Ex. B, at A437-A473
- Government's Sentencing Letter, May 16, 2005: Ex. C, at GA41-GA46

In addition, the government encloses herewith, as Exhibit D, a copy of the Second Circuit's order affirming the defendant's conviction and rejecting the government's cross-appeal. Finally, the government encloses herewith, as Exhibit E, a copy of the transcript of the defendant's resentencing on June 5, 2008.

Should the Court desire any additional materials, or the complete trial record, the government will be happy to make those materials available.

Respectfully Submitted,

LORETTA E. LYNCH
United States Attorney

By: _____/s/_____
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cc: Clerk of the Court (ARR) (by ECF)
Lawrence Gerzog, Esq. (by regular mail)